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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,941	01/10/2001	Christopher A. Rygaard	1010722-991102	9601

26379 7590 12/31/2003

GRAY CARY WARE & FREIDENRICH LLP
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EXAMINER

JACKSON, JENISE E

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PATENT DOCKET
DATE: <u>Jan 5, 2004</u>
ACTION: <u>Respt to OA</u>
DUE: <u>31 March 2004</u>
DEAD: <u>30 June 2004</u>

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GRAY CARY
WARE & FREIDENRICH

Office Action Summary

Application No.

09/758,941

Applicant(s)

RYGAARD, CHRISTOPHER A.

Examiner

Jenise E Jackson

Art Unit

2131

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-8 rejected under 35 U.S.C. 102(a) as being anticipated by Jansen et al. NIST Special Publication 800-19 – Mobile Agent Security (hereafter Jansen).

1. As per claims 1-3, Jansen teaches a mobile application (MA) security system (title, pg. 2 and section 3.2, bottom paragraph on page 9), comprising; one or more hosts connected to the server computer, each computer executing the mobile application that jumps between the hosts during execution(see pg. 2, pg. 17, section 4.1.4, 4.1.5), central computer for controlling the security of a MA(pg. 18-19 section 4.2 Protecting Agents); the central computer comprising means for monitoring the security of the MA as it jumps between hosts computers wherein the MA is communicated from a first host to a second host it passes through the central computer(see pg. 18-19 section 4.2 protecting agents), wherein the security monitoring means further includes detecting code of the mobile application marked as immutable and means for replacing the immutable code with code known to be safe by the central computer(see pg. 10, 18-19).
3. Further, as per claim 3 for disclosing wherein the security monitoring means further includes for detecting an itinerary of the mobile application that is marked as immutable and

means for replacing the immutable itinerary with an itinerary known to be safe by the central computer, is taught by Jansen(see section 4.2.2 and 4.2.3 pg. 21-22).

4. As per claim 4, Jansen teaches wherein the itinerary includes past historical itinerary data(see pg. 17, section 4.1.5).
5. As per claim 5, limitations have already been addressed(see claim 1). Further, Jansen teaches receiving a mobile application each time the mobile application is jumping between a first host and a second host(see pg. 18-19, section 4.2); monitoring the security of the mobile application as it jumps between the host computers(see pg. 18-19).
6. As per claim 6, limitations have already been addressed(see claims 1 and 6 above).
7. As per claim 7, limitations have already been addressed(see claims 3 and 5 above).
8. As per claim 8, recites same limitations as claim 4.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (703) 306-0426. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-0040 for regular communications and (703) 308-6306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Application/Control Number: 09/758,941
Art Unit: 2131

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December 18, 2003

Emmanuel L. Moise
EMMANUEL L. MOISE
PRIMARY EXAMINER

Notice of References Cited	Application/Control No. 09/758,941	Applicant(s)/Patent Under Reexamination RYGAARD, CHRISTOPHER A.	
	Examiner Jenise E Jackson	Art Unit 2131	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,009,456	12-1999	Frew et al.	709/202
	B	US-6,148,327	11-2000	Whitebread et al.	709/202
	C	US-6,615,232	09-2003	Suzuki et al.	709/202
	D	US-6,622,157	09-2003	Heddaya et al.	709/202
	E	US-6,192,354	02-2001	Bigus et al.	706/46
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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COPY OF PAPERS
 ORIGINALLY FILED

Form PTO-1449 U.S. DEPT. OF COMMERCE (modified 2/91) Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	Attorney Docket Number:	Serial Number:
	1010722-991102	09/758,941
	Applicant:	
	Chris Rygaard	
	Filing date:	Group art unit:
	January 10, 2001	RECEIVED
		APR 25 2002

U.S. PATENT DOCUMENTS

Technology Center 210

Examiner Initial	Patent Number	Date	Name	Class	Sub-class	Filing date if appropriate
JP	US 6,233,601	05/15/01	Walsh	709	202	November 13, 1997
	US 6,272,528	08/07/01	Cullen et al.	709	202	July 2, 1998
JP	US 5,850,517	12/15/98	Verkler et al.	395	200.32	August 31, 1995

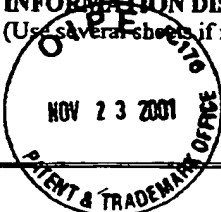
FOREIGN PATENT DOCUMENTS

Document number	Date	Country	Class	Sub-class	Translation	
					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner: <i>Genise Jack</i>	Date Considered: <i>12/11/03</i>
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

O-1449 U.S. DEPT. OF COMMERCE
 ed 2/91) Patent and Trademark Office
INFORMATION DISCLOSURE CITATION
 (Use several sheets if necessary)



Attorney Docket Number:

1010722-991102

Serial Number:

09/758,941

Applicant: Chris Rygaard

Filing date: 10 Jan 2001

Group art unit:

U.S. PATENT DOCUMENTS

Examiner Initial	Patent Number	Date	Name	Class	Sub-class	Filing date if appropriate

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 Group 2100

FOREIGN PATENT DOCUMENTS

Document number	Date	Country	Class	Sub-class	Translation	
					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

58	Peter Mell et al., "A Denial of Service Resistant Intrusion Detection Architecture", NIST, 2000
	Peter Mell et al., "Mobile Agent Attach Resistant Distributed Hierarchical Intrusion Detection" NIST, 1999
	W.A. Jansen, "A Privilege Management Scheme for Mobile Agent Systems", NIST
	Wayne Jansen, "Countermeasures for Mobile Agent Security", NIST
	Wayne Janson et al., "Applying Mobile Agents to Intrusion Detection and Response" NIST Interim Report, October 1999
49	Wayne Janson et al., "Privilege Management of Mobile Agents", NIST
	Wayne Jansen et al., "NIST Special Publication 800-19 - Mobile Agent Security", NIST

Examiner: <i>David Jackson</i>	Date Considered: <i>12/11/03</i>
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	